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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO.       |
|---|-------------|----------------------|-------------------------------|------------------------|
| 10/787,093  | 02/27/2004  | Gerhard D. Klassen   | 1679-5/JLW                    | 4271                   |
| 54120 7590 09/27/2007<br>RESEARCH IN MOTION, LTD<br>102 DECKER CT.<br>SUITE 180<br>IRVING, TX 75062 |             |                      |                               |                        |
|   |             |                      | EXAMINER<br>KEATON, SHERROD L |                        |
|   |             |                      | ART UNIT<br>2174              | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>09/27/2007       | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/787,093

Applicant(s)

KLASSEN ET AL.

Examiner

sherrod keaton

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7-17-07</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This action is in response to the original filing of 7-19-2007. Claims 1-18 are pending and have been considered below:

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being anticipated by Schmidt Jr. et al (US 6778642 B1) in view of Gidwani (6640239 B1) and Hwang (5781857).

**Claims 1 and 10:** Schmidt discloses a program product and method for execution on a communications device for receiving, storing,

the communications device being capable of executing a plurality of message applications, each message application being associated with one of the communications channels and being executable to store and display messages received from the associated communications channel,

Art Unit: 2174

the program product comprising a medium having executable program code embodied in said medium, the executable program code comprising a collating application (Column 5, Lines 26-37) makes reference of communication devices, (Column 2, Lines 17-29), and (Column 6, Lines 12-25).

But does not explicitly disclose displaying heterogeneous messages from different communications channels, the message being received via different communications channels being received in formats specific to each communications. However Gidwani discloses an apparatus and method for intelligent scalable switching network and further discloses an interface with heterogeneous messages from different communications (Figure 16; Column 49, Lines 13-65). Therefore it would have been obvious to one having ordinary skill in the art at the time of invention the messages from different communications in Schmidt as taught by Gidwani. One would have been motivated to have plurality of messages to provide better operability of the system when user is searching for certain users or profiles.

Nor does Schmidt explicitly disclose the executable program code comprising a collating application being executable on the communications device for dynamically retrieving heterogeneous messages stored by the plurality of message applications, said retrieved messages meeting at least one collating criterion, and for displaying an ordered listing of message fragments associated with at least one of said retrieved messages in a single view on the communications device. However Hwang discloses an email that discloses an email monitor responsive to a wireless communications and further discloses dynamic email retrieval (Column 4, Lines 11-15) and Gidwani

Art Unit: 2174

discloses message fragments (Column 49, Lines 55-65). Therefore it would have obvious to one having ordinary skill in the art at the time of the invention to have the dynamic retrieval and message fragments in the modified Schmidt as taught by Hwang and Gidwani. One would have been motivated to have dynamic message retrieval and the message fragments because it improves the user efficiency with the system by providing real-time updates and message fragments which user can use to decide possible importance of the messages.

**Claims 2 and 11:** Schmidt, Gidwani and Hwang disclose a program and method as in claims 1 and 10 above, and further disclose in which the executable program code and method further comprises program code executable on the communications device for enabling a user to specify the at least one collating criterion (Gidwani: Column 49, Lines 13-65).

**Claims 3 and 12:** Schmidt, Gidwani and Hwang disclose a program and method as in claims 2 and 11 above, in which the executable program code and method for enabling a user to specify the at least one collating criterion comprises executable program code for enabling the user to specify the at least one collating criterion used to match entries in an address book maintained by the communications device (Column 7, Lines 15-23) (Figure 5). Figure 5 shows an address book icon in addition to personal, client, and family icons respectively.

**Claims 4 and 13:** Schmidt, Gidwani and Hwang disclose a program and method as in claims 3 and 12 above, and the specified at least one collating criterion comprising a name associated with one entry in the address book (Figure 5). Figure 5 shows an address book icon in addition to personal, client, and family icons respectively.

**Claims 5 and 14:** Schmidt, Gidwani and Hwang disclose a program and method as in claims 1 and 10 above, in which the executable program code and method further comprises program code executable on the communications device for displaying a defined icon representing the at least one collating criterion (Column 2, Lines 17-24) (Figure 5).

**Claims 6 and 15:** Schmidt, Gidwani and Hwang disclose a program and method as in claims 1 and 10 above, in which the executable program code and method further comprises program code executable on the communications device for displaying a first defined icon representing the at least one collating criterion when the communications device is in receipt of no unread messages meeting the at least one collating criterion and for displaying a second defined icon representing the at least one collating criterion when the communications device is in receipt of at least one unread message meeting at least one collating criterion (Column 3, Lines 66-67), (Column 4, Lines 1-10).

**Claims 7 and 16:** Schmidt, Gidwani and Hwang disclose a program and method as in claims 1 and 10 above, in which the executable program code and method further comprises program code executable on the communications device for enabling a user to select between alternative views for presenting the ordered listing of message

Art Unit: 2174

fragments associated with each of said retrieved messages (Column 2, Lines 54-67), (Column 3, Lines 1-7), (Column 6, Lines 13-39).

**Claims 8 and 17:** Schmidt, Gidwani and Hwang disclose a program and method as in claims 1 and 10 above, in which the executable program code and method further comprises program code executable on the communications device for displaying the ordered listing of message fragments associated with at least one of said retrieved messages in sub-lists under displayed headings, each heading reflecting the communications channel on which the messages in the associated sub-list were received by the communications device (Figures 5-8).

**Claims 9 and 18:** Schmidt, Gidwani and Hwang disclose a program and method as in claim 8 and 17 above, in which the executable program code and method further comprises program code executable on the communications device for enabling a user to launch the message application associated with one of the communications channels by selecting one of the displayed sub-list headings (Column 2, Lines 30-42), (Figures 5-8).

### **Response to Arguments**

Applicant's arguments have been considered but are moot in view of grounds of new rejections as necessitated by applicant's amendments.

***Conclusion***

3. Applicants amendments necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrod Keaton whose telephone number is 571) 270-1697. The examiner can normally be reached on Mon. thru Fri. and alternating Fri. off (EST).



Art Unit: 2174

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE KINCAID can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SLK

9-17-07

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